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PTO/SB/21 (modified)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>	0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Application Number	09/715,385
			Filing Date	November 16, 2000
			First Named Inventor	Nicholas J. Rush
			Group Art Unit Number	3711
			Examiner Name	Not yet known
Total Number of Pages in This Submission		48	Attorney Docket Number	4862

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed (\$1,150.00)	<input type="checkbox"/> Issue Fee Transmittal
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<input checked="" type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) []
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<input checked="" type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input checked="" type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Cited References	<input checked="" type="checkbox"/> Declaration by Amir H. Raubvogel
<input type="checkbox"/> Request for Corrected Filing Receipt	<input checked="" type="checkbox"/> Declaration by Reuben L. Nocos
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input checked="" type="checkbox"/> Petition for Filing on Behalf of Omitted Inventors
<input type="checkbox"/> Amendment/Response: [] Page(s) <input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts
<input type="checkbox"/> Status Request	<input type="checkbox"/>
<input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/>

REMARKS:**SIGNATURE OF ATTORNEY OR AGENT**

Signature:			
Attorney/Reg. No.:	Amir H. Raubvogel, Reg. No. 37,070	Dated:	July 20, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:			
Typed or Printed Name:	Amir H. Raubvogel	Dated:	July 20, 2001
Express Mail Mailing Number (optional):			

19615/04862/DOCS/1192473.1



FEE TRANSMITTAL TOTAL AMOUNT OF PAYMENT Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$ 1,150.00)	U.S. Department of Commerce Patent and Trademark Office		Complete if Known	
	Application Number		09/715,385	
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METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																									
1. The Commissioner is hereby authorized to: <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. [†] <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP A Duplicate Copy of this authorization is attached 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Other		3. ADDITIONAL FEES <table border="1"><thead><tr><th>Large Entity Fee Code/Fee</th><th>Small Entity Fee Code/Fee</th><th>Fee Description</th><th>Fee Due</th></tr></thead><tbody><tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr><tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr><tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month[†]</td><td></td></tr><tr><td>116/\$390</td><td>216/\$195</td><td>Extension for response within second month[†]</td><td></td></tr><tr><td>117/\$890</td><td>217/\$445</td><td>Extension for response within third month[†]</td><td>890</td></tr><tr><td>118/\$1,390</td><td>218/\$695</td><td>Extension for response within fourth month[†]</td><td></td></tr><tr><td>128/\$1,890</td><td>228/\$945</td><td>Extension for response within fifth month[†]</td><td></td></tr><tr><td>119/\$310</td><td>219/\$155</td><td>Notice of Appeal</td><td></td></tr><tr><td>141/\$1,240</td><td>241/\$620</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr><tr><td>142/\$1,240</td><td>242/\$620</td><td>Utility Issue Fee (Or Reissue)</td><td></td></tr><tr><td>143/\$440</td><td>243/\$220</td><td>Design Issue Fee</td><td></td></tr><tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td>130</td></tr><tr><td>126/\$180</td><td>126/\$180</td><td>Submission of Information Disclosure Statement</td><td></td></tr><tr><td>179/\$710</td><td>279/\$355</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146/\$710</td><td>246/\$355</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149/\$710</td><td>249/\$355</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td colspan="2">Other fee (specify):</td><td></td><td></td></tr><tr><td colspan="2">Other fee (specify):</td><td></td><td></td></tr><tr><td colspan="2">SUBTOTAL (3)</td><td>(\$ 1150.00)</td><td></td></tr></tbody></table>		Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath	130	127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet		147/\$2,520	147/\$2,520	For filing a request for reexamination		115/\$110	215/\$55	Extension for response within first month [†]		116/\$390	216/\$195	Extension for response within second month [†]		117/\$890	217/\$445	Extension for response within third month [†]	890	118/\$1,390	218/\$695	Extension for response within fourth month [†]		128/\$1,890	228/\$945	Extension for response within fifth month [†]		119/\$310	219/\$155	Notice of Appeal		141/\$1,240	241/\$620	Petition to revive unintentionally abandoned application		142/\$1,240	242/\$620	Utility Issue Fee (Or Reissue)		143/\$440	243/\$220	Design Issue Fee		122/\$130	122/\$130	Petitions to the Commissioner	130	126/\$180	126/\$180	Submission of Information Disclosure Statement		179/\$710	279/\$355	Request for Continued Examination (RCE)		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)		146/\$710	246/\$355	Filing a submission after final rejection (37 CFR 1.129(a))		149/\$710	249/\$355	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify):				Other fee (specify):				SUBTOTAL (3)		(\$ 1150.00)	
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* Subtract the greater number of Col. 2

** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Amir H. Raubvogel	Reg. Number	37,070
Signature		Date	July 20, 2001

19615/04862/DOCS/1192476.1



PATENT

IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANTS: Nicholas J. Rush, Jason M. Kapalka, and Sukhbir S. Sidhu
APPLICATION NO.: 09/715,385
FILING DATE: November 16, 2000
TITLE: Positive-Return Gambling
EXAMINER: Not yet known
GROUP ART UNIT: 3711
ATTY. DKT. NO.: 4862

CERTIFICATE OF MAILING

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Dated: JUL 20/01

By:

Amir H. Raubvogel, Reg. No. 37,070

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COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION

SIR:

Responsive to the Notice to File Missing Parts dated February 27, 2001 received in the above-identified patent application,

☒ Enclosed are:

- ☒ a copy of the Notice to File Missing Parts;
- ☒ an original Declaration and an original Power of Attorney signed by Nicholas J. Rush;
- ☒ an original, signed Petition on Behalf of Omitted Inventors Under 37 C.F.R. Section 1.47(a);
- ☒ an original, signed Declaration by Reuben L. Nocos of Facts in Support of Filing on Behalf of Omitted Inventor Under 37 C.F.R. Section 1.47(a);

☒ an original, signed Declaration by Amir H. Raubvogel of Facts in Support of Filing on Behalf of Omitted Inventors Under 37 C.F.R. Section 1.47(a);

☒ an Application Data Sheet;

☒ payment in the amount of \$1,150.00 for the

☒ Petition Fee;

☒ Fee for extension of time for response within 3 months; and


☒ Missing parts surcharge.

☐ Other

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,
Nicholas J. Rush, Jason M. Kapalka,
and Sukhbir S. Sidhu

Dated: July 20, 2001

By: 
Amir H. Raubvogel, Reg. No. 37,070
Fenwick & West LLP
Two Palo Alto Square
Palo Alto, CA 94306
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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/715,385	11/16/2000	Nicholas J. Rush	4842

Mr. H. Raubvogel
Fenwick & West LLP
Two Palo Alto Square
Palo Alto, CA 94306

FORMALITIES LETTER



OC000000005806473

Date Mailed: 02/27/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/23/2001 0ZERGAW1 00000133 09715385

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